

PEOPLE OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the meeting held on Monday, 2 October 2023 commencing at 11.30 am and finishing at 2.50 pm

Present:

Members: Councillor Nigel Simpson – in the Chair

Councillor Sally Povolotsky (Deputy Chair)
Councillor Imade Edosomwan
Councillor Trish Elphinstone
Councillor Andy Graham
Councillor Jenny Hannaby
Councillor Nick Leverton
Councillor Michael Waine
Ruth Bennie
Fraser Long

By Invitation: Gail Tolley, Independent Chair of the Oxfordshire Education Commission;
Cllr Liz Leffman, Leader of the Council;
Cllr John Howson, Cabinet Member for Children, Education, and Young People's Services;
Cllr Kate Gregory, Cabinet Member for Special Educational Needs and Disabilities Improvement.

Officers:

Richard Doney, Scrutiny Officer
Anne Coyle, Interim Corporate Director for Children's Services
Stephen Chandler, Interim Executive Director: People, Transformation, and Performance

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting [, together with a schedule of addenda tabled at the meeting/the following additional documents:] and agreed as set out below. Copies of the agenda and reports [agenda, reports and schedule/additional documents] are attached to the signed Minutes.

23/23 INTRODUCTION AND WELCOME (Agenda No. 1)

After a number of technical difficulties with the audio-visual equipment in the room which resulted in a delayed start to the meeting, the Chair welcomed those attending. The Chair explained that the meeting had been called to consider the report of the Education Commission and the report of the Local Area SEND Inspection. These had both been on the agenda at the Committee's meeting on 14 September 2023 but

the Committee had resolved to defer the former and the latter had not been published at that point.

The Chair reiterated the Committee's apologies to the Chair of the Education Commission and her colleagues for having deferred the item.

24/23 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS
(Agenda No. 2)

Apologies had been received from Cllr Walker.

25/23 DECLARATION OF INTERESTS - SEE GUIDANCE NOTE ON THE BACK PAGE
(Agenda No. 3)

No declarations of interest were made.

26/23 PETITIONS AND PUBLIC ADDRESSES
(Agenda No. 4)

The Committee was addressed by Melody Drinkwater, Claire Brenner, Anna Antell, Terez Moore, Darren Moore, and Theo Moore.

Each spoke to the inadequacies of the support they had received from the Council and the impact that this had had on them.

The Committee thanked them for addressing them for sharing their very moving experiences and assured them that the Committee was seeking to ensure that improvement happened.

27/23 EDUCATION COMMISSION REPORT
(Agenda No. 5)

Gail Tolley, the independent chair of the Oxfordshire Education Commission, attended the Committee to present the Commission's report, *Time for Change: Improving Educational Opportunity for All Oxfordshire's Children and Young People*. Jeremy Long, Martha O'Curry, and Jan Davison-Fischer, three of the Commission's nine members, were also in attendance. The Leader of the Council, Cllr Liz Leffman, and the newly-appointed Cabinet Member for Children, Education, and Young People's Services, Cllr John Howson, also attended as did the Interim Executive Director for People, Transformation, and Performance ('the Interim Executive Director'), Stephen Chandler, and the Interim Corporate Director for Children's Services ('the Interim Corporate Director'), Anne Coyle.

The Chair of the Commission introduced the Commission's report which explored data for the 2021/22 school year as well as the experiences of stakeholders and made 17 recommendations to the Council which were primarily intended to deliver on the recommendations from the voices of children and young people which the Commission had summarised as:

- Help children who find things difficult; not everyone learns in the same way;
- Let children be good at something in their own way;
- Be ambitious for every child; do not put children in boxes;
- Foster a sense of belonging for every child.

Ms Tolley reminded members that members of the Committee had been given a progress update on the work of the Commission in March 2023 and she expressed the Commission's thanks to those members who had provided responses to the research questions posed.

Ms Tolley drew the Committee's attention to the fact that Oxfordshire's performance data, on first appearances, looked positive when considered nationally. However, it compared unfavourably with its statistical neighbours. Those who find it harder to succeed faced particular challenges and did not achieve the outcomes the Council would desire for them. It was highlighted that there are elements of intersectionality with black heritage pupils on free school meals with Special Educational Needs and Disabilities (SEND) facing particular challenges to success.

The Commission spoke to a range of young people as well as to some parents and to school leaders. There was a consensus that, as set out in part four of the report, there needed to be a reckoning in Oxfordshire.

Ms Tolley emphasised that the focus of the Commission's research was on children and their experiences rather than on structures and that the Commission had been agnostic on the merits of different varieties of school governance. Instead of whether a school was maintained by the local authority or not, the Commission's focus was on results.

There had been a breadth of responses but the Commission had identified a need for clear and collaborative leadership with a shared, clear vision for education and called for partners to play 'the same game not the blame game' (4.6.1). 4.6.3 set out that there were agreed strategies for Early Help and SEND as well as the Practice Framework but there was a need for stakeholders to identify synergies between the implementation plan of the SEND strategy and the action plan based on the Commission's recommendations. The report had been written before the Local Area SEND Inspection but the action plan would, of course, need to connect with that too.

Ms Tolley emphasised that the intention had very much not been for a report to be written to be placed on a shelf but that it ended with a call to action. There were 17 proposals with suggested accountabilities which were in response to the ambition and collective commitments of stakeholders for a reset and a genuine collaboration.

One of the proposals related to the importance of Scrutiny and Ms Tolley urged the Committee to ensure that pupil attainment outcomes should be considered in March 2024 with senior leaders and partners from across the education sector, including school leaders, being invited to attend. Ms Tolley further encouraged the Committee to carefully monitor "educational outcomes for all children and young people, especially the most disadvantaged and vulnerable", as set out in proposal 3 in 5.1.2.

It had been a privilege to chair the Commission and Ms Tolley praised the outstanding work of her colleagues and their commitment to deliver for Oxfordshire's children and young people.

On his first day as Cabinet Member for Children, Education, and Young People's Services, Cllr John Howson explained he was humbled to take on the portfolio and, whilst it was a privilege, he recognised the challenge the Council faced. He thanked the Commission for its detailed and comprehensive report which underlined what parents had recounted earlier in the meeting. There needed to be a vision created in Oxfordshire where no child was left behind. Cllr Howson drew the Committee's attention to the need for vulnerable children who need to move home unexpectedly and immediately mid-year to be placed in schools and, whilst the Council was not responsible for in-year admissions, committed to his ambition to work together to ensure a place was allocated within three weeks.

The Leader of the Council, Cllr Liz Leffman, thanked the Commission for its excellent piece of work. It had drawn out the inequality that existed in the county with pockets of disadvantage that had not been successfully addressed for some years. Whilst this had not been about early years, the Leader emphasised the importance of early years and the recognition of SEND as early as possible. The 17 proposals were extremely important and co-production was necessary. Teacher retention and recruitment was a challenge but was vital. Work with district councils was necessary beyond education and work on Place-making would take account of this report.

Members of the Committee thanked the Commission for a clear, well-written, comprehensive report and noted that it brought together strands of work which had been undertaken over a number of years. There was a need for collaborative work across the Council to put things right. Much of the data was broadly the same as that in reports from the former Education Scrutiny Committee which had made very similar recommendations in 2020 but there had been little discernible action.

Members expressed concern that the Committee had been kept at arm's length from education since the establishment of the People Overview & Scrutiny Committee and that the centrality of Scrutiny to which the Leader had committed at the beginning of this administration taking office would benefit greatly from the restoration of a discrete Education Scrutiny Committee.

The action plan arising from the report should make specific reference to the leaders of the City and District Councils in the outworking of recommendation 5's reference to a pan-Oxfordshire initiative.

Parents are key stakeholders and a parents panel was suggested as a useful contribution to be included in the action plan.

There was a recognition of the complexity of the interrelationships across the education sector but the Committee was reminded that, as an upper-tier authority, the Council was a lead partner and that collaboration across the local area partnership was key. Whilst the Council did not maintain all schools in the county, given that all but one secondary school is an academy and around half of primary schools, it was important for the Council to use its power of influence for good. There was a call

from members for a sense of ownership and a recognition of the benefits that having senior staff be permanent rather than interim could bring. It was also stated that the strength of the organisation lay in the expertise of its staff who were less senior and that such staff needed to be valued and recognised.

The Interim Executive Director commented at the close of the item in response to the discussions. He thanked the Chair of the Commission and her team for an extremely useful piece of work and welcomed that such information was now all in one place. Ensuring that the child was at the centre of everything the Council did was imperative. Strong relationships across the partnership were essential and the Council was committed to playing its part.

The Interim Executive Director explained that the Council intended to have a single joined up action plan responding to the recommendations from the Education Commission and from the Local Area SEND Inspection which would need to be integrated. This would need to be scrutinised. The Interim Executive Director explained that he would welcome a discussion with the new Cabinet Member for Children, Education, and Young People's Services about the possibility of restoring the Education Scrutiny Committee.

The Committee resolved to recommend the make recommendations to Cabinet under the following headings:

- That the Council should ensure regular data updates are provided to Cabinet and to the Committee on educational outcomes;
- That the Council should explore how to establish and manage panels, such as a children's panel, a parents' panel, and an educational providers' panel, to ensure the insights of key stakeholders are heard to build collaborative and clear partnership working.
- That the Council should consider the adoption of a long-term plan for educational improvement in the county under the heading Oxfordshire Charter for Future Generations;
- That the Council should consider establishing a board for educational improvement;
- That the Council should, once the SEND Working Group has concluded its work and presented its recommendations to Council, commit to providing officer resource and expertise to the Committee in order to undertake a deep dive into early years provision
- That the Council should continue to work with other councils to address the problems associated with key worker recruitment and retention;
- That the Council should ensure that there is sufficient budgetary capacity for the report's recommendations to be implemented;
- That the Council should expedite the establishment of a discrete Education Scrutiny Committee with appropriate resources.

28/23 OXFORDSHIRE LOCAL AREA SEND INSPECTION (Agenda No. 6)

The Leader of the Council, Cllr Liz Leffman, as well as the newly-appointed Cabinet Members for Children, Education, and Young People's Services and for SEND

Improvement, Cllrs John Howson and Cllr Kate Gregory respectively, attended alongside the Interim Executive Director: People, Transformation, and Performance, Stephen Chandler, and the Interim Corporate Director for Children's Services, Anne Coyle. They attended to present the cover report which set out the indicative action plan development process and proposed governance arrangements in response to the Local Area SEND Inspection report which had been undertaken by the Care Quality Commission (CQC) and the Office for Standards in Education (Ofsted) in July 2023 and which had been published on 15 September 2023.

The Leader introduced the report by thanking the public speakers and by acknowledging that the Council had consistently let down parents over a long period of time and that the Council accepted the report in full. The Leader expected to see significant improvements in a very short period of time and was grateful to the Interim Executive Director and the Interim Corporate Director for their work on the Priority Action Plan ('the Plan') for the Local Area Partnership ('the LAP') which was due to be submitted by 27 October 2023.

The Interim Executive Director expressed his sorrow that the Council had let families, children, and young people down and stated that, to recover, prompt, clear, and concrete action was needed and that the Council was committed to that. There was not much time before the Plan needed to be submitted but workshops had taken place with different stakeholders and the importance of preparing the Plan in partnership was extremely important.

The Interim Executive Director recognised the importance of improving trust and the culture within Children's Services and that would be addressed in the action plan. It was intended that there would be an independent chair of the Oxfordshire SEND Strategic Improvement and Assurance Board (SIAB) and the Interim Executive Director was committed to have having the voice of parents and carers represented at every level.

The Committee recognised that the inspection was of the Local Area Partnership as an whole and the Priority Action Plan was therefore the plan of the LAP as an whole. The Committee noted that the Joint Health Overview and Scrutiny Committee ('HOSC') had considered the report at its meeting on 21 September 2023 and that its questions focused on the partnership and on the health-related aspects of SEND provision. The Committee focused its questions more on education matters and on the Council's provision.

The Committee was pleased to hear an unequivocal acceptance of the report and the apologies made on the Council's behalf and of the resolve and commitment to rapid and systemic improvement. The Committee welcomed the ongoing openness to scrutiny of the Interim Executive Director and the Interim Corporate Director. At the same time, the Committee was conscious of the fact that the core leadership team is largely made up of interim appointments and that stability and continuity would be of benefit.

The Committee heard, and noted in the Ofsted report, that "[l]eaders openly acknowledge the urgent need for a 'reset' to repair the fractured relationships with parents and carers and other stakeholders." The Committee agreed that was

essential. The Committee also heard a commitment to improving culture. The poor communication cited in the report had hindered the building of successful relationships and an element of restorative thinking and of building anew successful partnerships with families and with other stakeholders was key. This should include a commitment to co-production and a preparedness to engage with suggestions made by those who did not necessarily have an official relationship with the Council but did have positive contributions to make. Timely, clear, and charitable communication would be essential and the Committee was pleased to hear of the quality assurance work being undertaken in the area of responses to complaints.

The Committee considered that one factor was the difference between the strategic ambitions and the operational happenings. One important element that would be helpful in improving the culture would be to conduct an audit of training available and to consider whether and where improvements were needed. One area that should be considered was whether the right training was provided by the right people in the right place, particularly in relation to neurodivergence.

One challenge of which the Committee was aware was the difficulties for small groups and organisations of providing support for those with SEND in the community. Many make a real difference but the limitations of funding are such that continued engagement is problematic. The Committee noted the existence of the Connected Communities Fund and called on the Council to consider how seed-funding could be appropriately paid out to groups to enable growth and sustainability.

The Committee commended the effectiveness of the outreach work undertaken by special schools in the county and considered it would be valuable were the Council to work with them to consider how best that work could be strengthened and extended.

The Committee discussed the situation with Education and Health Care Plan tribunals and explored if it would be appropriate to recommend that all applications for tribunals should be paused. The Committee was pleased to hear that a number of control measures had been put in place which should ensure that the number of tribunals should reduce markedly and that no such application would be undertaken without the agreement of at least the Deputy Director.

The Committee was keen to explore how it could best work with HOSC to scrutinise Children and Adults Mental Health Services ('CAMHS'), the challenges it was facing, and the resultant impact on children and families.

The Committee was very conscious that the report was a result of the inspection of the Local Area Partnership as a whole. That meant there was a challenge in identifying who was ultimately responsible for leading and holding to account. One of the challenges for the LAP would be to ensure that its leadership and responsibility was clear. The Committee observed that it was very important to build strong relationships with key partners across the LAP.

The Committee established that the Priority Action Plan would be shared with Cabinet before it was submitted to the Department for Education. The Committee emphasised that it was imperative that members of the Committee but also of the Council more widely were aware of the content of the Plan at the earliest opportunity

to enable appropriate oversight and engagement. The Committee recognised, however, that there would be a fluidity and flexibility to the Plan up to the point of submission. The Committee also recognised that the Plan would be a high-level one but that there would be detailed tracking of the actions thereafter.

The Committee resolved to **DELEGATE** to the Chair and Vice-Chair responsibility for making recommendations along with the Chair and Vice-Chair of HOSC. These were subsequently agreed and reported to Cabinet as:

Recommendation 1: For Leadership over the Partnership and of Children and Young People's SEND provision to be explicitly set out and communicated clearly to families and all stakeholders; as well as clear measures of how leadership will be developed and demonstrated at all levels, and to demonstrate how new ways of working with stakeholders will put families at the heart of transformation.

Recommendation 2: To ensure good transparency around any action planning and the improvement journey for SEND provision for Children and Young People, and to develop explicit Key Performance Indicators for measuring the effectiveness of improvements that are open to scrutiny. The committee also recommends for more comprehensive action planning after the publication of the initial action plan requested by Ofsted, and for this action planning to be made fully transparent.

Recommendation 3: For the Leadership to adopt restorative thinking and practices with utmost urgency so as to reassure affected families, and for this thinking to be placed at the heart of any coproduction exercises to help families feel their voices are being heard as well as for the purposes of transparency.

Recommendation 4: To ensure adequate and timely co-production of action planning to improve SEND provision, and for the voices of Children and their families to be taken into account in tackling the systemic failings highlighted in the report. The committee also recommends that the Partnership considers timely allocation of seed funding for the development of co-production involving people with lived experience; and for joint commissioning of training and alternative provision across Oxfordshire, involving multi-agency stakeholders, the voluntary sector and families.

Recommendation 5: To continue to improve working collaboration amongst the Local Area Partnership so as to integrate support mechanisms and services as effectively as possible, and for rapid improvements to be demonstrated on clear and efficient information and patient-data sharing on Children with SEND.

Recommendation 6: For every effort to be made for children and young people with SEND to receive the support that is specifically tailored toward and appropriate to their own needs and experiences; and for those involved in providing support services to be aware of the

additional/alternative services available which a child may also need a referral to. It is also recommended that improvements in one-to-one communications with families should be prioritised by Oxfordshire County Council, using the budget agreed by cabinet immediately following the Ofsted report.

Recommendation 7: To consider the use of digital resources for enablement, including at an individual level; and to ensure EHCPs are up to date and that they constitute living documents for families.

..... in the Chair

Date of signing

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